

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:23-cv-156-KDB**

**SCOTT DEVON HEMPHILL,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **GREG HUNTLEY, et al.,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**ORDER**

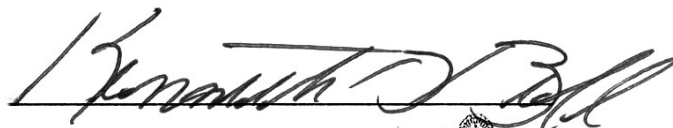
**THIS MATTER** is before the Court on Defendant Charles Cooper's Motion for Leave to Depose Incarcerated Plaintiff [Doc. 42].

Defendant Cooper, with the consent of all remaining Defendants, seeks to take the incarcerated Plaintiff's deposition pursuant to Rule 30 of the Federal Rules of Civil Procedure. The Defendant's Motion will be granted and the Defendants may depose Plaintiff at the institution where he is confined in a room to be designated by the administrator of the institution at a date to be selected by the administrator and defense counsel.<sup>1</sup> It is further ordered that, in the event that the deposition proceeds in person, a guard shall be present during the deposition.

**IT IS, THEREFORE, ORDERED** that Defendant Charles Cooper's Motion for Leave to Depose Incarcerated Plaintiff [Doc. 42] is **GRANTED**.

**IT IS SO ORDERED.**

Signed: April 1, 2024



Kenneth D. Bell  
United States District Judge



<sup>1</sup> Defendant Cooper states that counsel for the remaining Defendants have agreed to take the Plaintiff's deposition on April 6, 2024 via a remote platform such as Zoom. This is subject to approval by the institution's administrator.